RESOLUTION NO. 3720

AUTHORIZING AND DIRECTING CONDEMNATION OF
REAL PROPERTY FOR STREET WIDENING PURPOSES

BE IT RESOLVED by the Council of the City of Lodi as follows:

The Council of the City of Lodi finds, determines, and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction, and completion in the City of Lodi of a public improvement, to wit: Street widening and related work on Lodi Avenue and Hutchins Street between Lee Avenue and California Street in the City of Lodi, San Joaquin County, California.

(2) That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.

(3) That the City of Lodi acquire the hereinafter-described real property for street widening purposes, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the city attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for street widening purposes.

(4) To acquire in the name of the City of Lodi, fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to said Court for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said real property, or interest in real property, or existing improvements, for street widening purposes; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which such condemnation proceedings are pending may direct.

(6) The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvement are situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

A portion of LOTS 13 and 14, in Block 12, as shown upon Map entitled, HUTCHINS ADDITION TO LODI, filed for record April 10, 1897, San Joaquin County Records and being more particularly described as follows:

Beginning at the Southwest corner of said LOT 14; thence North 0° 30' 00" West along the West line of said Lot, 100.55 feet; thence South 88° 51' 29" East, 10.00 feet; thence South 0° 30' 00" East, parallel to the West line of said LOT 14, 70.79 feet; thence 27.60 feet along a curve to the left, said curve having a radius of 17.00 feet, a central angle of 93° 02' 00" and a long chord which bears South 47° 01' 00" East; thence North 86° 28' East, parallel to the South line of Section 1, Township 3 North, Range 6 East, and 36.00 feet North of, as measured perpendicular to said South line, 87.18 feet to a point in the West line of a 20-foot alley; thence South 3° 53' 00" West, along said West line, 11.08 feet; thence South 86° 28' West, along the South line of said Lots 13 and 14, 114.27 feet to the point of beginning.

Dated: January 17, 1973

I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting held January 17, 1973, by the following vote:

AYES: Councilmen - HUGHES, KATNICH, PINKERTON, SCHAFFER and EHRHARDT

NOES: Councilmen - None

ABSENT: Councilmen - None

Bessie Bennett
City Clerk